

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
BEYOND BESPOKE TAILORS, INC., et al.,	:	
	:	
Plaintiff,	:	
	:	20-CV-5482 (VSB)
-against-	:	
	:	<u>ORDER</u>
JAMES BARCHIESI, et al.,	:	
	:	
Defendants.	:	
	:	
-----	X	

VERNON S. BRODERICK, United States District Judge:

Plaintiffs filed this action on June 17, 2020 in the Supreme Court of New York, New York County against Defendants James Barchiesi, Worksite LLC, Worksite Accountants and Advisors, Worksite Capital Partners LLC, Worksite Interactive LLC, Worksite Ventures, and Roth & Associates. (Doc. 1.) On June 16, 2020, Defendants removed the action to federal court. (*Id.*) On October 27, 2020, Plaintiff filed the complaint in the instant case. (Doc. 4). On November 17, 2020, Defendants filed a motion to dismiss and transfer venue, (Doc. 10), which was fully briefed as of June 23, 2021, (Doc. 39).


However, on June 21, 2021, Defendants' counsel moved to withdraw. (Doc. 35.) I granted the request and stayed the case to allow Defendants to secure new counsel. (Doc. 42.) I also held any ruling on the two motions in abeyance until Defendants secured new counsel. (Doc. 43.) To date, Defendants remain unrepresented. While Defendant James Barchiesi—as an individual—may proceed pro se, business entities such as Defendants Worksite LLC, Worksite Accountants and Advisors, Worksite Capital Partners LLC, Worksite Interactive LLC, Worksite Ventures, and Roth & Associates may not. On November 12, 2021, Plaintiffs obtained a clerk's certificate of default as to Worksite LLC, Worksite Accountants and Advisors, Worksite Capital

Partners LLC, Worksite Interactive LLC, Worksite Ventures, and Roth & Associates. (Doc. 81.)

Plaintiffs, however, have taken no other action to seek a default judgment. Accordingly, if Plaintiffs intend to seek a default judgment, they are directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than January 19, 2022. If Plaintiffs fail to do so or otherwise demonstrate that they intend to prosecute this litigation, I may dismiss Plaintiffs' claims against Worksite LLC, Worksite Accountants and Advisors, Worksite Capital Partners LLC, Worksite Interactive LLC, Worksite Ventures, and Roth & Associates for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 22, 2021
New York, New York



VERNON S. BRODERICK
United States District Judge